REMARKS

Applicant appreciates the time taken by the Examiner to review Applicant's present application. This application has been carefully reviewed in light of the Official Action mailed December 31, 2007. This Reply encompasses a bona fide attempt to overcome the rejections raised by the Examiner and presents amendments as well as reasons why Applicant believes that the claimed invention, as amended, is novel and unobvious over the applied prior art. Applicant respectfully requests reconsideration and favorable action in this case.

Status of the Claims

Claims 1-20 were pending. Claims 1-20 were rejected. Claims 1, 3, 5, 8, 11, 14, 17 and 19 are amended herein. Support for the amendments can be found at paragraph 0023 and paragraphs 0029-0031 of the Specification as originally filed. No new matter is introduced. Thus, claims 1-20 are pending.

Interview Summary

Pursuant to Applicant Initiated Interview Request submitted on January 30, 2008, a telephonic interview was conducted on February 5, 2008 between Examiner Oanh Duong and Attorney Christopher Glover. Attorney Glover described differences between embodiments of the invention as claimed and the cited prior art and discussed possible claim amendments with Examiner Duong. No agreement was reached. Applicant appreciates the time taken by Examiner Duong to discuss the pending claims and review Applicant's present application.

Rejections under 35 U.S.C. § 103

Claims 1-20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,996,536 ("Cofino") in view of Applicant Admitted Prior Art ("AAPA"). This rejection is respectfully traversed. Although itself has no force of law, the *Manual of Patent Examining Procedure* (M.P.E.P.) restates the following law: If an independent claim is nonobvious under 35 U.S.C. §103, then any claim depending therefrom is nonobvious. *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988). Accordingly, traversal to the rejection will be collectively discussed herein with regard to independent claim 1. Independent claims 5, 11 and 17 recite limitations similar to those recited in claim 1.

In rejecting claim 1, the Examiner states, on page 4 of the Office Action, that

> "[it] would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teachings of Cofino to include initiation of said events includes generation of dynamic content according to one or more scripts at the servers and activities initiated in response to a user's browsing behavior as taught by AAPA because it was conventionally employed in the art to allow dynamic content to be generated and communicated to client computer."

Applicant respectfully disagrees. At the time the invention was made, one of ordinary skill in the art could not have combined Cofino and AAPA and somehow arrive at an invention as claimed in claim 1 at least because elements as claimed in claim 1 were not known in the prior art at the time the invention was made. Further, embodiments as claimed in claim 1 can provide advantages over prior art systems and methods by allowing browsing behavior to be linked to application and business behavior, including backend business events.

Specifically, claim 1 recites:

> A method of associating requests and events comprising:
> logging events at servers affected by a user's browsing, wherein initiation of said events includes generation of dynamic content according to one or more scripts at the one or more servers and activities initiated in response to the user's browsing behavior;
> receiving a set of HTTP request data which includes, for each HTTP request in a set of HTTP requests, a request time stamp, and a string indicating said each HTTP request or a logical page corresponding to said each HTTP request;
> receiving a set of event data which includes, for each of said logged events, an event time stamp and data corresponding to execution of said one or more scripts; and
> associating each of said logged events with a previous HTTP request from the set of HTTP requests that has a request time stamp being closest in time to the event time stamp of the event.

By contrast, the cited page 4, paragraph 7, of the Specification describes that, if a requested web page includes dynamic content, a web server can initiate a script to send data to an application server to generate the dynamic content. In this example, the application server is

affected by the user's browsing behavior. However, as explicitly described in the Specification on page 4, paragraph 8, in prior systems, analysis of the web log kept by the web server provides no insight into the events that occurred at the application server in response to a particular request. Thus, while click stream analysis may allow for review of the pages requested by a user, it does not provide any knowledge as to the dynamic content actually presented to the user. *Id.* Page 3, paragraph 6, of the specification further describes several deficiencies of prior systems, including that they do not link events occurring at back-end systems with the page requests of particular users. Therefore, in prior systems, a user's behavior cannot be analyzed in terms of a business process. *Id.*

A prior art reference must be considered in its entirety, i.e., as a whole, including portions that would lead away from the claimed invention. *W.L. Gore & Associates, Inc. v. Garlock, Inc.*, 721 F.2d 1540, 220 USPQ 303 (Fed. Cir. 1983), *cert. denied*, 469 U.S. 851 (1984). In view of the entire background section of the Specification, pages 2-4, paragraphs 3-8, one of ordinary skill in the art at the time the invention was made would have recognized that, other than logging HTTP requests at a web server, prior systems are not known to log events at various servers affected by a user's browsing. Obviousness cannot be predicated on what is not known at the time an invention is made, even if the inherency of a certain feature is later established. *In re Rijckaert*, 9 F.2d 1531, 28 USPQ2d 1955 (Fed. Cir. 1993). At least for the foregoing reasons, it is respectfully submitted that claim 1 is patentable over the combination of Cofino and AAPA under 35 U.S.C. § 103(a).

Applicant further respectfully submits that Cofino does not remedy the above discussed deficiencies of prior systems and that embodiments as claimed in claim 1 can provide advantages over the combination of Cofino and AAPA. Similar to prior systems described in AAPA, Cofino teaches a web server system that records all the requests it receives from shoppers in a web server log along with auxiliary data such as timestamp, session ID, referrer, and links shown in a requested web page. *See* Cofino, col. 4, lines 39-43. Consistent with AAPA's teaching, Cofino appears to be limited to logging requests at a particular web server system and does not teach or suggest logging events at various servers affected by a user's browsing, wherein initiation of said events includes generation of dynamic content according to one or more scripts at the servers and activities initiated in response to the user's browsing behavior. Contrastingly, embodiments as claimed in claim 1 enables a user's browsing behavior to be linked to backend application behavior, providing a more robust content for analysis that focuses on content and business processes, not just web site behavior. At least

for the foregoing reasons, it is respectfully submitted that embodiments as claimed in claim 1 can provide technological contributions not present in the combination of Cofino and AAPA.

In view of the foregoing, Applicant respectfully submits that claim 1 and dependent claims 2-4 are patentable over the combination of Cofino and AAPA under 35 U.S.C. § 103(a). For similar reasons, Applicant respectfully submits that claims 5, 11, and 17 and dependent claims 6-10, 12-16 and 18-20 are also patentable over the combination of Cofino and AAPA under 35 U.S.C. § 103(a). Accordingly, withdrawal of this rejection is respectfully requested.

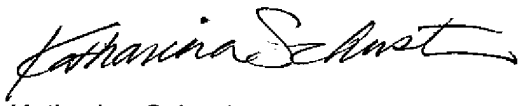
Conclusion

Applicant has now made an earnest attempt to place this case in condition for allowance. Other than as explicitly set forth above, this reply does not include any acquiescence to statements, assertions, assumptions, conclusions, or any combination thereof in the Office Action. For the foregoing reasons and for other reasons clearly apparent, Applicant respectfully requests full allowance of claims 1-20. The Examiner is invited to telephone the undersigned at the number listed below for prompt action in the event any issues remain.

The Director of the U.S. Patent and Trademark Office is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 50-3183 of Sprinkle IP Law Group.

Respectfully submitted,

Sprinkle IP Law Group
Attorneys for Applicant



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Date: July 10, 2008

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